

UNITED STATES DISTRICT COURT
for the

Eastern District of North Carolina

United States of America

v.

Allen Earl Smith

Date of Original Judgment: 07/23/2002
Date of Previous Amended Judgment: 05/05/2004
*(Use Date of Last Amended Judgment if Any)*Case No: 4:02-CR-15-1H
USM No: 22016-056
Thomas P. McNamara
*Defendant's Attorney***ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of 176 months is reduced to 158 months

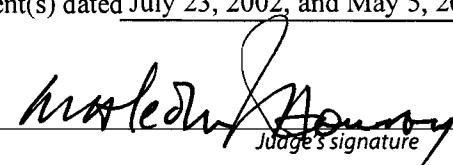
If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment(s) dated July 23, 2002, and May 5, 2004, shall remain in effect. **IT IS SO ORDERED.**

Order Date:

4/23/12


Judge's signature

Effective Date:

(if different from order date)

Malcolm J. Howard, Senior U.S. District Judge

Printed name and title